

Hearing Aid Compatibility Reconsideration
WT Docket No. 01-309
Wireless Telecommunications Bureau Meeting
February 15, 2005

I. Federal Preemption

- The FCC should reconsider its decision in the *HAC Order* and clarify that the Commission has exclusive authority to adjudicate wireless HAC complaints pertaining to wireless carriers' and manufacturers' compliance with the HAC Act and Section 20.19 of the rules.

II. 25% and 50% Requirements

- Background -- the HAC Order adopted two implementation requirements for both wireless carriers and handset manufacturers. Under the standards, carriers must make available to consumers at least two or 25% HAC compliant phone models, whichever is greater, within two years of the HAC Order. 50% of all models should be compliant by February 18, 2008.
- There is no explanation or rationale given for why the two or 25% model is applicable to Tier 1 carriers, contrary to the consumer-driven approach advocated in the record.

III. De Minimis Issues

- The de minimis exception- the 2 handset or 25% requirement does not apply if a manufacturer offers 2 or fewer handsets.
- Currently, the *de minimis* calculation takes into account all handsets offered by a manufacturer across all air interfaces.
- The Commission should reconsider and clarify that the *de minimis* exception should be applied on an air interface by air interface basis.

IV. TDMA Issue

- The Commission should not require HAC handsets for TDMA Air Interface if the carrier demonstrates that it is phasing out this interface.
 - The industry is steadily migrating away from TDMA to other digital air interfaces and industry wide support for the TDMA air interface is evaporating

V. ANSI/ATIS Incubator Standards Update

- The wireless industry and FCC have actively participated in the ATIS Incubator for 18 months. The Incubator has made considerable progress with the RF portion of the standard.